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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

FAIR HOUSING JUSTICE CENTER, INC.

Plaintiff,

v.

GOTHAM ORGANIZATION INC.,  
FXCOLLABORATIVE ARCHITECTS, LLP, BAM  
GO DEVELOPERS LLC, BAM GO DEVELOPERS II  
LLC, and 55TH & 9TH LLC.,

Defendants.

19 Civ. 4764 (GHW)

**STIPULATION  
AND ORDER OF DISMISSAL**

**WHEREAS**, on or about May 23, 2019, the Fair Housing Justice Center, Inc. (“Plaintiff”) commenced the above-captioned action (the “Lawsuit”);

**WHEREAS**, on November 21, 2019, Plaintiff filed an Amended Complaint, dated November 21, 2019, alleging that Gotham Organization Inc., BAM GO Developers LLC, BAM GO Developers II, 55<sup>th</sup> & 9<sup>th</sup> LLC (collectively, the “Developer Defendants”) and FXCollaborative Architects, LLP (collectively with the Developer Defendants, the “Defendants”) discriminated on the basis of disability in the design and construction of The Ashland, a high rise apartment building having an address of 250 Ashland Place, Brooklyn, New York, and that the Developer Defendants discriminated on the basis of disability in the design and construction of The Nicole, a high rise apartment building having an address of 400 West 55th Street, New York, New York, in violation of the Fair Housing Act, 42 U.S.C. § 3601 *et seq.* (the “FHA”); the New York State Human Rights Law, New York Executive Law § 296 *et seq.*; and the New York City Human Rights Law, New York City Admin. Code §§ 8-107 *et seq.*;

**WHEREAS**, Defendants have asserted defenses to the Lawsuit and deny each of the

claims asserted by Plaintiff therein;

**WHEREAS**, the Parties entered into the attached Settlement Agreement to resolve the claims asserted in the Lawsuit and avoid the expense of protracted litigation;

**WHEREAS**, the Parties jointly request that the Court retain jurisdiction to enforce the Settlement Agreement to avoid the time and expense of a separate enforcement proceeding; and

**WHEREAS** Plaintiff and Defendants, by and through their undersigned counsel, stipulate and agree as follows:

1. This action is hereby dismissed with prejudice pursuant to the terms of the Settlement Agreement in this action.

2. The Court shall retain jurisdiction over this action for the sole purpose of enforcing compliance with the terms of the Settlement Agreement, attached as Exhibit A, and only in accordance with Paragraphs 5 and 6 of the Settlement Agreement.

3. Before filing a motion to enforce the Settlement Agreement, pursuant to the terms of the Settlement Agreement in this action, the Parties will endeavor in good faith to informally resolve any differences. The moving Party will give each other Party written notice of any instance of alleged noncompliance with this Agreement and afford each affected Party forty-five (45) days to cure any alleged noncompliance and the Parties shall confer during that forty-five-day cure period and attempt in good faith to resolve the alleged noncompliance by agreement.

4. This stipulation may be executed in one or more counterparts, by facsimile or electronic signature, all of which shall be deemed an original for the purposes of this stipulation.

Dated: October 28, 2021  
New York, New York

For Plaintiff:

EMERY CELLI BRINCKERHOFF  
ABADY WARD & MAAZEL LLP

By: Diane L. Houk

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*Attorneys for Plaintiff  
Fair Housing Justice Center, Inc.*

For Defendants:

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By: \_\_\_\_\_

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*Attorneys for Defendants Gotham  
Organization, Inc., BAM GO Developers  
LLC, BAM GO Developers II LLC, and  
55<sup>th</sup> & 9<sup>th</sup> LLC*

ZETLIN & DE CHIARA LLP

By: \_\_\_\_\_

Carol J. Patterson  
David A. Beatty  
801 Second Avenue  
New York, NY 10017

*Attorneys for Defendant  
FXCollaborative Architects, LLP*

It is so ORDERED this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
HON. GREGORY H. WOODS  
UNITED STATES DISTRICT COURT JUDGE

Dated: October 28, 2021  
New York, New York

For Plaintiff:

EMERY CELLI BRINCKERHOFF  
ABADY WARD & MAAZEL LLP

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By: \_\_\_\_\_  
Carol J. Patterson  
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*Attorneys for Defendant  
FXCollaborative Architects, LLP*

It is so ORDERED this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
HON. GREGORY H. WOODS  
UNITED STATES DISTRICT COURT JUDGE

Dated: October 28, 2021  
New York, New York

For Plaintiff:

EMERY CELLI BRINCKERHOFF  
ABADY WARD & MAAZEL LLP

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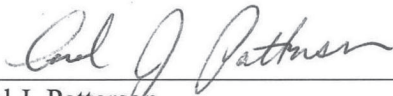
For Defendants:

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*Attorneys for Defendant  
FXCollaborative Architects, LLP*

It is so ORDERED this 30th day of October, 2021.

 \_\_\_\_\_  
HON. GREGORY H. WOODS  
UNITED STATES DISTRICT COURT JUDGE